

Application No.: 10/734,948

Docket No.: JCLA12519

**REMARKS****Present Status of the Application**

The Office Action rejected claims 1-8. Specifically, the Office Action rejected claims 5-8 under 35 U.S.C. 112, second paragraph. The Office Action rejected claims 1-3 under 35 U.S.C. 102(b) as being anticipated by Richard et al. (U. S. Patent 5,736,063; hereinafter Richard). The Office Action rejected claims 4, 7/4, and 8/7/4 under 35 U.S.C. 103(a) as being unpatentable over Radermacher et al. (U. S Patent 5,092,138; hereinafter Radermacher) in view of Richard. The Office Action rejected claim 5 under 35 U.S.C. 103(a) as being unpatentable over Karl (U. S. Patent 6,178,761) in view of Richard. The Office Action rejected claim 7/5 and 8/7/5 under 35 U.S.C. 103(a) as being unpatentable over Karl in view of Richard and further in view of Radermacher. The Office Action rejected claim 6 under 35 U.S.C. 103(a) as being unpatentable over Karl in view of Richard and further in view of Vander Woude et al. (U. S. Patent 6,631,621; hereinafter Vander). The Office Action also objected claim 1 and drawing. Applicants have amended specification, claims and drawing. After entry of foregoing amendments, claims 1-8 remain in the present application, and reconsideration of those claims is respectfully requested.

**Discussion of Office Action Rejections**

1. The objection and rejections of claims under 35 U.S.C. 112, second paragraph can be overcome by further amendments. No new matter adds.

2. The present invention, as recited in independent claim 1, includes the temperature glide produces a first temperature range between a beginning temperature and an intermediate temperature in an evaporation process for use as a refrigeration area, and a second temperature

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range from the intermediate temperature to an ending temperature of the evaporation process for use as a cold storage area In this manner, the performance can be improved.

The Office Action newly cites Richard to provide the temperature glide (**Response to Arguments**). However, in point of view from Richard, the temperature glide has not found wide use (col. 2, lines 217-19). ***This indicates that the application of the temperature glide in Richard is not quite expected.***

Indeed, Richard failed to specifically disclose the features as recited in claim 1 by using the property of temperature glide to arrange into “refrigeration area” and the “cold storage area”.

Applicants respectfully disagree that the Office Action considers the claimed features simply as a property of the composition (2<sup>nd</sup> paragraph in page 10). ***This consideration by the Office Action has included the personal judgment under hindsight.*** Clearly, the composition ***alone*** does not teach or suggest a technological design in practical applications, such as the claimed invention. In other words, the disclosure just based on, i.e., composition of HFC, does not equivalently teach a structural design of refrigerator. The present invention is directed to technology to design i.e. the refrigerator to have “refrigeration area” and the “cold storage area”, based on the property of “temperature glide”, created by the claimed refrigerant mixture. No prior art reference has specifically disclosed this arrangement.

The other prior art references of Radermacher, Powell, Karl, and VanderWoude do not supply the missing feature in Richard about the claimed features as recited in claim 1.

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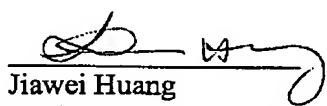
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For at least the foregoing reasons, Applicants respectfully submits that independent claim 1 patently defines over the prior art references, and should be allowed. For at least the same reasons, dependent claims 2-8 patently define over the prior art references as well.

### CONCLUSION

For at least the foregoing reasons, it is believed that all the pending claims 1-8 of the invention patently define over the prior art and are in proper condition for allowance. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

Respectfully submitted,

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